

REMARKS

Claims 1-12 are presently pending in the application. Claims 1-12 were rejected under 35 U.S.C. 102(e) as being anticipated by Unger (2003/0026423).

Applicants have canceled claims 1-4 and 10. Independent claims 5 and 9 and their dependent claims have been amended to more clearly depict the present invention. Applicants respectfully submit that the present invention is novel over the cited art and is now more clearly represented in the amended claims. More specifically, the present invention does not modify the incumbent stream such as the cited art. By way of example, the incumbent programs continue to have the original PID numbers and their corresponding PMTs to ensure that the incumbent set-tops can properly decrypt their encrypted programs. Accordingly, an unaltered PMT is provided to the set-tops that correspond with each of the original or legacy PIDs for the first encryption scheme A, and additionally a novel PMT is provided to the set-tops that correspond with each of the novel PIDs for the second encryption scheme B as well as the clear stream.

Additionally, in accordance with the present invention, the predetermined critical packets of encryption scheme A are not duplicated and encrypted with encryption scheme B as stated in the cited art. As stated, to provide a dual-encrypted stream any manipulation to the streams is performed on the clear stream not on the incumbent encrypted stream. It is believed, therefore, that the claims as amended are patentable over the cited art.

Reconsideration and reexamination of the present application is requested in view of the foregoing amendment and in view of the following remarks.



CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action dated July 27, 2005. Claims 5-9 and 11-12 will be pending in the present application upon entry of the present amendment, with claims 5 and 9 being independent. Based on the amendments and remarks set forth herein, Applicants respectfully submit that the subject patent application is in condition for allowance. Because the claims may include additional elements that are not taught or suggested by the cited art, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Upon entry of the foregoing Response, the above-identified patent application includes 2 independent claims. Because Applicants have previously paid for 12 total claims and 3 independent claims, Applicants submit that no additional fee is due. Should it be determined that any additional fee is due or any excess fee has been received, the Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account #19-0761.

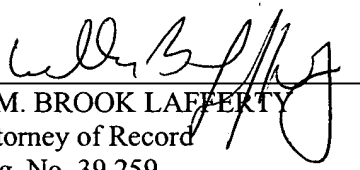
Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned agent at the below-listed number.

Respectfully submitted:

SEND CORRESPONDENCE TO:

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on July 27, 2005.


Faye Ropski